

Message Text

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ORIGIN L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 AF-08 ARA-06 EA-07 NEA-10

CIAE-00 DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02 ORM-02 /107 R

DRAFTED BY L:L/HR:CRUNYON:MAB

APPROVED BY L:L/UNA:RFSTOWE

IO/HR:WEHEWITT

EUR/CAN:DKRUSE

L/EUR:DAGANTZ (DRAFT)

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INFO AMEMBASSY LONDON

USMISSION GENEVA

USMISSION USUN NEW YORK

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E.O. 11652: N/A

TAGS: SHUM, CA, UN

SUBJECT: UN COVENANTS ON HUMAN RIGHTS AND OPTIONAL
PROTOCOL

1. AS EMBASSY AWARE, CANADA RATIFIED SUBJECT COVENANTS
AND PROTOCOL MAY 20, 1976. ALL HAVE ENTERED INTO FORCE.
2. US VOTED FOR COVENANTS AND PROTOCOL IN UN GENERAL
ASSEMBLY BUT QUESTION OF SIGNATURE AND RATIFICATION REMAINS
UNDER STUDY.
3. SLOW AND DELIBERATE APPROACH OF OTHER NATIONS WITH
RESPECT TO RATIFICATION OF THESE INSTRUMENTS AND THE
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DIFFICULTIES HERE OF OBTAINING SENATE ADVICE AND CONSENT

TO HUMAN RIGHTS TREATIES (AS EVIDENCED IN REPEATED FAILURES TO GAIN CONSENT ON GENOCIDE CONVENTION) HAVE SO FAR DETERRED ADMINISTRATION FROM SIGNING COVENANTS AND PROTOCOL AND SUBMITTING THEM TO THE SENATE FOR ITS ADVICE AND CONSENT.

4. WE DETECT A WIDENING AND DEEPENING OF CONGRESSIONAL INTEREST IN THE RESPONSIBILITIES OF THE USG WITH RESPECT TO HUMAN RIGHTS AND, IN PARTICULAR, THE QUESTION OF US

RATIFICATION OF THE COVENANTS AND PROTOCOL. UNDER THESE CIRCUMSTANCES AND IN VIEW OF THE CHANGED SITUATION RESULTING FROM THE ENTRY INTO FORCE OF THE INSTRUMENTS WITH THE SUPPORT OF SUCH PARTIES AS CANADA, DEPARTMENT IS REASSESSING COURSE IT SHOULD FOLLOW WITH RESPECT TO US SIGNATURE AND RATIFICATION.

5. IT WOULD BE MOST HELPFUL TO DEPARTMENT TO RECEIVE COMPLETE AND DETAILED INFORMATION REGARDING CANADIAN RATIFICATION. IF POSSIBLE, THE DEPARTMENT WOULD APPRECIATE THE FOLLOWING:

(A) A BRIEF BACKGROUND OF CANADIAN RATIFICATION PROCEDURES IN THIS CASE, INCLUDING TIMING, HEARINGS, ETC; (B) OBJECTIONS PERCEIVED WITHIN THE CANADIAN GOVERNMENT AND PRESENTED IN PARLIAMENT OR OTHERWISE AND CONSIDERATIONS IMPORTANT IN MEETING OR OVERCOMING THEM; (C) TEXTS OF, OR IF THESE UNAVAILABLE BEST INFORMATION AVAILABLE, REGARDING STUDIES MADE BY THE CANADIAN GOVERNMENT OR RESPONSIBLE ACADEMICIANS OR OTHERS OF PROBLEM OF CONSISTENCY BETWEEN COVENANTS AND CANADIAN POLICY, LEGISLATION AND PRACTICE; (D) ANY LEGISLATIVE, ADMINISTRATIVE OR OTHER CHANGES THAT MAY HAVE BEEN ADOPTED OR EFFECTED TO FACILITATE RATIFICATION AND ANY THAT MAY STILL BE CONTEMPLATED; (E) ATTITUDE OF CANADA TOWARD POSSIBLE USG RATIFICATION AND CANADIAN APPRAISAL OF PROBLEMS WHICH US AND CANADA MIGHT HAVE IN COMMON IN FIRST YEARS OF APPLICATION COVENANTS AND PROTOCOL AND OPERATION OF PROCEDURES UNDER THEM; (F) ANY AVAILABLE FULL TEXTS OF DOCUMENTS AND RECORDS RELEVANT TO FOREGOING E.G. ANY LIMITED OFFICIAL USE

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PARLIMENTARY REPORTS OR DEBATES, MAJOR ARTICLES OR EDITORIALS, ANY LEGISLATION OR ORDERS, ETC. ROBINSON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY RATIFICATION, HUMAN RIGHTS, AGREEMENTS, TREATY ENTRY INTO FORCE
Control Number: n/a
Copy: SINGLE
Draft Date: 19 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: SmithRJ
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE206848
Document Source: CORE
Document Unique ID: 00
Drafter: L/HR:CRUNYON:MAB
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760319-0478
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760837/aaaabfpl.tel
Line Count: 109
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: SmithRJ
Review Comment: n/a
Review Content Flags:
Review Date: 14 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 APR 2004 by ellisoob>; APPROVED <19 AUG 2004 by SmithRJ>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UN COVENANTS ON HUMAN RIGHTS AND OPTIONAL PROTOCOL
TAGS: SHUM, CA, UN
To: OTTAWA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006